

# **SAFEGUARDING AND CHILD PROTECTION PROCEDURE**

## **Procedure Document Purpose Statement**

This document sets out the procedure supporting safeguarding and child protection policy for Cornwall College Group.

## **Application**

The objective of this document is to provide a framework to describe how allegations or suspicions of harm or abuse should be reported and investigated.

## **Interpretation**

Further guidance on the use or interpretation of this procedure may be obtained from the responsible post holder.

## **Legislator / Regulatory Compliance**

Compliance with relevant current Health and Safety legislation, Data Protection Act and other legislation / regulations named within the body of the document.

## **Publication Restrictions**

This document is for Cornwall College Group staff, internal use only.

This document is for internal use but can be shared with external bodies if requested.

*(Delete non-applicable statements as appropriate)*

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## 1. Context

- 1.1. All complaints, allegations or suspicions of abuse must be taken seriously, and staff must adopt a ‘could happen here approach’.
- 1.2. Absolute promises of confidentiality must not be given as the matter may develop in such a way that these might not be able to be honoured. This must be made clear at the outset to the individual who is making a disclosing, with reassurance that they are doing the right thing and information will only be passed on to those who need to know this to safeguard them and others.
- 1.3. If the complaint/allegation comes directly from the child, young person or adult, questions should be kept to the minimum necessary to understand what is being alleged. Leading questions must always be avoided.
- 1.4. When administering safeguarding concerns, a person-centred and outcome-based approach should be adopted, and in the case of adult safeguarding concerns the six principles as outlined in The Care Act (2014) should also be adopted. Always act in the best interest of the individual.

## 2. Procedure

- 2.1. It is recognised that any member of staff may encounter learners who make a safeguarding disclosure or who exhibit a safeguarding or child protection concern. Except in the circumstances outlined in the ‘Early Help’ section of the Safeguarding and Child Protection Policy, no member of staff should take any independent action themselves but must observe the protocol set out below, unless the individual is in crisis or the concern is out of normal working hours, in which case action should be taken to stabilise the situation in consultation with relevant managers or statutory agency. Anyone has the right to make a referral to the local authority Multi-Agency Safeguarding Unit, but the advised route is through the campus Safeguarding Officer, Deputy Designated Safeguarding Lead (DDSL), or Designated Safeguarding Lead (DSL). Where a referral is made in the absence of a DSL, DDSL or Safeguarding Officer then they should be notified at the earliest opportunity.
  - 2.1.1. Any suspicion, allegation or incident of abuse must be reported to a Safeguarding Officer, DDSL, or DSL as soon as possible (Contact details in Annex A).
  - 2.1.2. If the suspicion or allegation of abuse is related to a member of staff or other person in a “position of power”, it must be reported to the DSL, as soon as possible (see section 4).

2.1.3. Notes of the detail of anything said as part of the disclosure should be taken with a full record of any disclosure conversations made immediately after any conversations with the child, young person or adult and must include, if known:

- The date and time of the alleged abuse
- The place where the alleged abuse happened
- The child/young person/ adult's name
- The name of the person making the disclosure.
- The nature of the alleged abuse
- A description of any injuries observed (N.B. do not ask to see)
- The account which has been given of the allegation (if disclosed directly by the child/young person/ adult, the account should be in their words)
- The age of the child/young person/adult
- If they are 16 or over, is there anything to suggest that they may not have "capacity" in accordance with the Mental Capacity Act 2005 (MCA)
- The address of the child/young person/ adult
- The date and time of the observation/disclosure
- Interviewer / disclosure recipients name and the names of any other persons present or witnesses.

2.2. The record should be, as far as possible, verbatim rather than summarised and it should be factual in terms of what the child/young person/adult or person making the disclosure (where not a direct disclosure) has reported and should not be based on staff opinion or assumptions.

2.2.1. NOTE: Some children/young people/adults with learning difficulties and/or disabilities may need additional support when making a disclosure. This may take the form of the child/young person/ adult's nominated carer or tutor being present at any interview to act as a facilitator or in an advocacy role. It should NEVER be assumed that a child/young person/ adult with learning difficulties and/or disabilities is not capable of providing a credible account.

2.3. The Safeguarding Officer, DDSL / DSL will record details of the suspected/alleged abuse, neglect or harm and will assess the concerns in line with Local Authority Threshold of need. Where appropriate, ie: where they feel that the child/ young person/ adult may be in need and/ or may be at risk of suffering significant harm or that others may be at risk of harm, the matter must be referred to the Local Authority Multi-Agency Safeguarding Unit. If in any doubt the Local Authority Multi-Agency Safeguarding units and Triage teams should be contacted for advice or enquiry. Advice should be recorded including the name of the person providing this advice, date and time. All records must be kept up to date on ProMonitor with reasons for decisions made recorded.

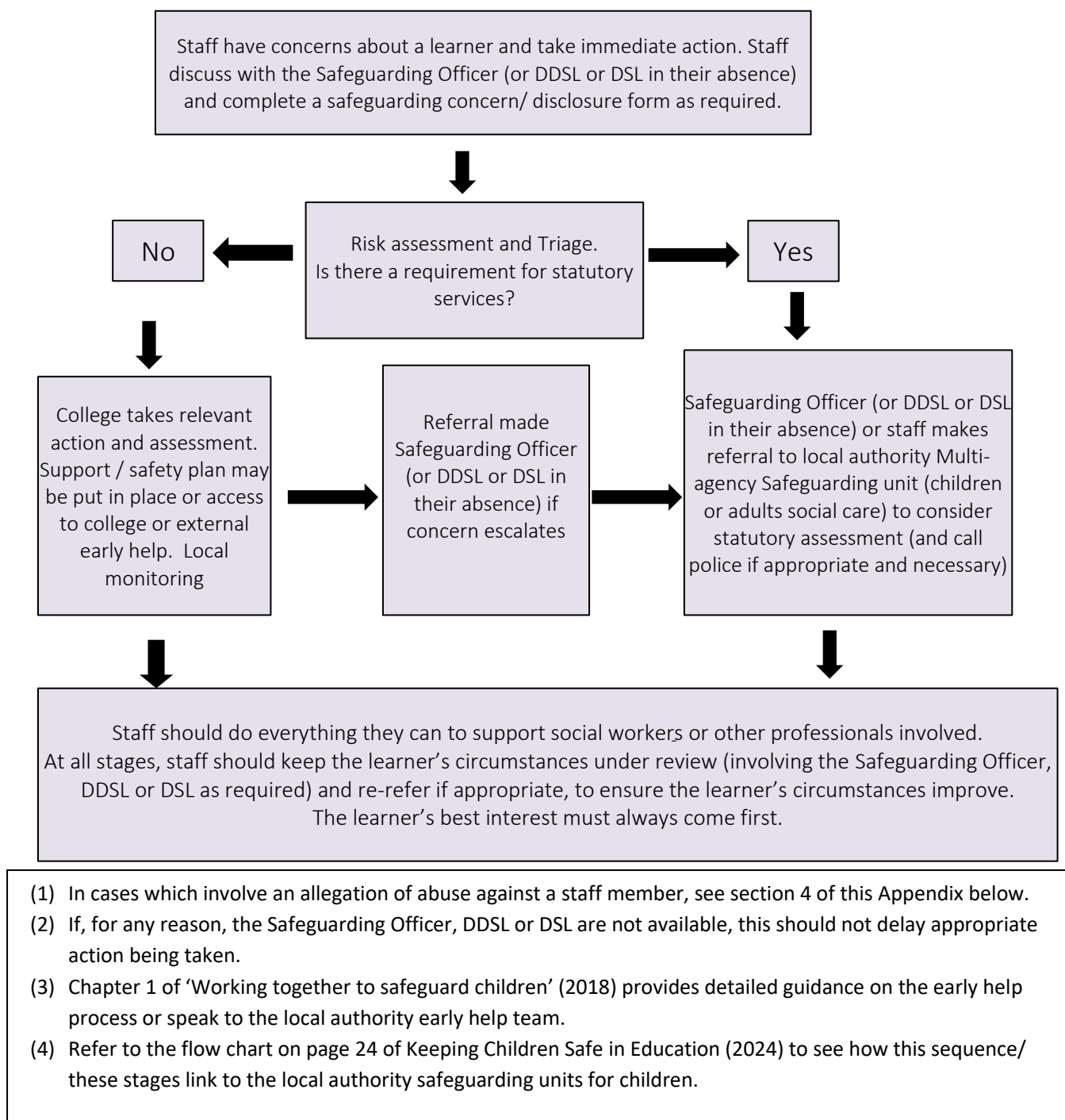
2.4. In accordance with local authority procedure, the Safeguarding Officer / DDSL / DSL will confirm any telephone or verbal referral in writing, using the appropriate local authority inter-agency referral form within 48 hours.

2.5. The advice received from the Local Authority Multi-Agency Safeguarding Unit on what action, if any, is to be taken, should be noted, dated and kept on file, including the name of the member of staff spoken to. A response must be received within 24 hours and if this does not happen then this should be challenged by the DSL / DDSL.

2.6. Any further action to be taken by the college, agreed with the Local Authority Multi- Agency Safeguarding Unit should be noted, dated and the Safeguarding Officer / DDSL / DSL needs to

confirm that this action is being /has been taken. This should include any conversation with parents/carers which will not always be appropriate if allegations include family members. Consideration must be given to the wishes of the individual concerned, providing they have capacity.

## 2.7. Flowchart of action where there are concerns about a child, young person or adult at risk of harm, abuse or neglect



## 3. 14-16-Year-Old Learners

- 3.1. Where a suspicion/allegation of harm or abuse is made in respect of a 14-16 learner who is enrolled at a school or with another provider / sponsor, staff should follow the procedures outlined above. The Safeguarding Officer / DDSL or DSL will liaise with the DSL / DDSL from the learner's school or provider/sponsor, ensuring that the learner is informed of this process. It will be the responsibility of the school or provider /sponsor to make any referrals to the Local Authority Multi-Agency Safeguarding Unit.
- 3.2. Where a suspicion/allegation of harm or abuse is made in respect of a Pre-16 learner who is Elected Home Educated (EHE) but enrolled on a part time course with TCCG, staff should follow the procedures outlined above.

#### **4. Allegations about a Member of Staff or Volunteer**

- 4.1. All suspicion, allegation or actual abuse of a child, young person or adult at risk of harm involving a member of staff/volunteer will be dealt with in accordance with the statutory guidance set out in Part four of KCSIE (2024).
- 4.2. Any suspicion, allegation or actual abuse of a child, young person or adult at risk of harm involving a member of staff/volunteer must be reported to the DSL as soon as possible and in any case within 2 hours of the initial concern arising. If the DSL cannot be contacted then the Principal or Director of HR should be contacted.
- 4.3. The DSL will take steps considered necessary to ensure the immediate safety of the child/young person/ adult in question or any other person who may be considered at risk (e.g. other learners).
- 4.4. The DSL will immediately notify the Director of HR or Principal and convene the Safeguarding Management Group (SMG). The SMG will rapidly consider the nature of the allegation and any evidence. The SMG will consider whether actions need to be taken to suspend or move the staff member or learner to safeguard them or any future investigations. Any suspension is viewed as a neutral act and does not assume guilt or innocence. The SMG will work with the Local Authority Designated Officer (LADO) for advice as required where the harm meets the threshold as outlined in part four of KCSIE (2024).
- 4.5. Written statements may be taken from anyone who may have witnessed anything relevant to the allegation. This should simply be an account in the witnesses' own words as to what they may have observed. Care must be taken not to ask any leading questions or to "interrogate" any witness. Statements must be signed and dated by the witness.
- 4.6. Where it is clear to the SMG that a member of staff has:
  - behaved in a way that has harmed a child or adult at risk of abuse or neglect, or may have harmed a child or adult at risk of abuse or neglect;
  - possibly committed a criminal offence against or related to a child or adult at risk of abuse or neglect;
  - behaved towards a child /children or adult/adults at risk of abuse or neglect in a way that indicates he or she may pose a risk of harm to children or adults at risk of abuse or neglect; or
  - behaved or may have behaved in a way that indicates they may not be suitable to work with children or adults at risk.
- 4.6.1 An immediate referral will be made to the Local Authority Multi-Agency Safeguarding Unit in respect of the alleged victim.

- 4.6.2 The DSL or Director of HR will also inform the relevant Local Authority Designated Officer (LADO) immediately of receiving the report of an allegation and ensure that a report has been completed. The DSL / Director of HR will supply the staff member's address, date of birth, post and length of time in employment with TCCG, together with any copies of notes/statements related to the allegation.
- 4.6.3 Director of HR will inform the alleged perpetrator or person about whom there is a concern of the allegation or concern as soon as possible **AFTER** consulting with the LADO and in accordance with any **restrictions on information sharing** that may be imposed by the police or social care. There may be circumstances where this would impede a police prosecution.
- 4.6.4 The DSL/ Director of HR will inform the alleged perpetrator/person against whom the concern has been raised about how enquiries will be conducted and possible outcomes e.g. disciplinary action, dismissal etc. and inform them of sources of support e.g. professional organisations/trades union and the role of the Group HR function in providing support.
- 4.7 Managers will not take any action that might undermine any future action or disciplinary procedure (e.g. interviewing the alleged victim, alleged perpetrator or possible witnesses) before this had been agreed with the LADO, who will liaise with the police and social care.
- 4.8 The DSL and Director of HR will seek advice from the LADO about how, when and by whom parents or carers should be informed unless there is an emergency situation, such as when a child/young person/vulnerable adult has been injured and needs medical attention.
- 4.9 Any investigation conducted by college managers, after consultation with the LADO, will follow the Group's procedures for investigations. Once the outcome is determined the relevant managers will take a view on how to proceed in line with its disciplinary policies.
- 4.10 Where a member of staff or a volunteer is dismissed from the Group's employment or is the subject of an internal disciplinary linked to abusive conduct relating to a child/young person/adult, the Group will notify the Independent Safeguarding Authority (ISA), as appropriate for a decision regarding barring to be made by them.
- 4.11 Where it is subsequently found that an allegation was malicious or vexatious, the Group may refer the matter to be dealt with in line with its disciplinary policies for staff and learners.
- 4.12 Where the allegation concerns the Safeguarding Officer or DDSL are involved, the DSL will play no role.
- 4.13 Where the allegation concerns the Principal, the DSL will notify and involve the Chair of the Board of Governors (or Deputy if the Chair is not available).

## 5 Records of Safeguarding Concerns, Disclosures or Referrals

- 5.6 The Safeguarding Officer, DDSL or DSL will ensure that all records relating to the safeguarding of a students shall be securely recorded, including any referral information. This may include:
- 5.6.1 The referral form (and report, where appropriate)
- 5.6.2 Any notes, memoranda or other correspondence dealing with the matter
- 5.6.3 Any other relevant material

- 5.7 The Safeguarding Officer, DDSL or DSL must ensure all notes and statements are signed and dated.
- 5.8 Copies of reports etc. should be kept in line with Local Authority Guidance, locked and secure always and kept for a minimum period of seven years, until the alleged victim is 25 years old or in some serious cases, indefinitely.
- 5.9 Copies of reports regarding any safeguarding related allegations made against staff shall be kept securely by the HR department for at least until the individual has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer. Where an individual has faced allegations of gross misconduct it is advisable to keep their HR record beyond their retirement age.

## **6 Confidentiality**

- 6.6 All suspicions, allegations and investigations will be kept confidential and shared only with those who need to know. Any discussions with an alleged victim must be carried out in a sensitive, supportive and empathetic manner, in a confidential and appropriate area, respecting their dignity and privacy.
- 6.7 Any note taker and/or witness to disclosure interviews must be agreed with the alleged victim and they should be encouraged, where appropriate, to have a friend or advocate present to support them.
- 6.8 Those under 18 years should be strongly encouraged to seek support from their parents/carers unless the allegations relate to their home or family situation. If the victim does not wish to involve their parent(s)/carer(s) this should be explicitly recorded in the notes taken.
- 6.9 All decisions relating to information sharing should be justified and recorded.

## **7 Related Documents**

- Safeguarding and Child Protection Policy
- Safeguarding Concern / Disclosure Form

## **Annex A – Internal Contacts**

**1. Central Contacts**

<b>CONTACT POINT</b>	<b>CONTACT NUMBER</b>
Central Contact	01209 617888
Central Safeguarding Number	Email: <a href="mailto:safe@cornwall.ac.uk">safe@cornwall.ac.uk</a>

**2. Primary Site / Campus Contacts**

Go to <https://www.cornwall.ac.uk/safeguarding/> or use the QR code to see a list of primary / site-based contacts:



**3. Key External Contacts**

Local Authority arrangements may vary when referring allegations of abuse or general safeguarding concerns about young people under the age of 18 years or in the case of adults at risk of harm under the definition of the Care Act 2014. You should refer to the Local Authority Multi-Agency Safeguarding Unit, Local Safeguarding Children Partnerships (SCP) or Boards (SCB) or Safeguarding Adults Board (SAB) for contact details, advice and the referral process.

The South West Child Protection Procedures (SWCPP) website provides a good link to different local authority safeguarding partnership websites with contact details and procedures. The following link will take you to the website: <https://www.proceduresonline.com/swcpp/>

Allegations against staff working with children or adults should be made to the relevant **LADO** (Local Authority Designated Officer) in accordance with the Safeguarding and Child Protection procedure.